

Carlos Hernández
Mayor

Isis Garcia-Martinez
Council President

Luis González
Council Vice President



Council Members
Jose F. Caragol
Vivian Casáls-Muñoz
Katharine E. Cue-Fuente
Paul B. Hernández
Lourdes Lozano

City Council Agenda Summary/Minutes

June 10, 2014

7:00 P.M.

Call to Order - **Council President Garcia-Martinez called the meeting to order at 7:11 p.m.**

Roll Call-

- **Council Members present:**
 - **Council President Isis Garcia-Martinez**
 - **Council Vice President Luis Gonzalez**
 - **Councilman Jose Caragol**
 - **Councilwoman Vivian Casáls-Muñoz**
 - **Councilwoman Katharine Cue-Fuente**
 - **Councilman Paul Hernandez**
 - **Councilwoman Lourdes Lozano**
- **Also present were:**
 - **Mayor Carlos Hernandez**
 - **Lorena Bravo, Acting City Attorney**
 - **Marbelys Fatjo, Acting City Clerk**

Invocation given by Marbelys Fatjo, Acting City Clerk

Pledge of Allegiance led by Councilwoman Vivian Casáls-Muñoz

Meeting Guidelines

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.

- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

REPORT: The meeting guidelines were read into the record by the Acting City Clerk, and translated to Spanish by Maricarmen López, Administrative Aide in the Office of the City Clerk.

Presentations –

- **REPORT: Council President Garcia-Martinez recognized Olga Hernandez of Miami-Dade County Commissioner Diaz's office who was present at the meeting. Council President Garcia-Martinez also recognized Miami Dade County Judges Rodney Smith and Nuria Saenz who were also present.**
- **REPORT: Council President Garcia-Martinez recognized Julissa Reyes, a student attending John G. Dupuis Elementary School, who received an award of Merit for her achievements in the subject of math.**
- **REPORT:** Mayor Carlos Hernandez presented a proclamation to Osmany Corteguera, a Hialeah High School graduate, proclaiming June 10, 2014 Osmany Corteguera Day in Hialeah for his academic achievements while only having been in the United States for a period of five years.

1. Announcement of Amendments/Corrections to the Agenda – **REPORT: The City Clerk announced that Items GG, HH and II were added to the agenda, and that the representative of the applicants of PZ 4 and LU 1 requested that both items be tabled until June 24, 2014. It was also announced that the agreement for item FF and the sketch of the easement for item 4 were updated and placed on the dais for the Council's review.**

2. Consent Agenda—

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

REPORT: Council President Garcia-Martinez pulled item BB from the Consent Agenda for separate discussion.

REPORT: Motion to Approve the Consent Agenda, except Item BB, made by Council Vice President Gonzalez, and seconded by Councilwoman Cue-Fuente. MOTION PASSED (7-0).

- A. Request permission to approve the Summary Agenda/Minutes of the City of Hialeah Council Meeting held on May 27, 2014. (OFFICE OF THE CITY CLERK)
APPROVED (7-0)

- B. Request permission to utilize the pricing of the Florida Sheriffs Association & Florida Association of Counties, ½ Ton Pickup Truck - 4X2, Specification #41, 2014 Ford F-150 (F1C) – Florida Sheriffs Association Bid #13-21-0904, and issue a purchase order to Don Reid Ford, Inc., to purchase (7) seven new 2014 Ford F-150 trucks, for a total cumulative amount not to exceed \$104,930.00. (BUILDING DEPT.) **APPROVED (7-0)**
- C. Request permission to utilize the pricing of the Florida Sheriffs Association & Florida Association of Counties, Mid Size-4 Door Utility Vehicles – 4X2, Specification #22, 2014 Ford Explorer (K7B), and issue a purchase order to Don Reid Ford, Inc., to purchase (2) two 2014 Ford Explorer (K7B), for a total cumulative amount not to exceed \$46,900. (BUSINESS TAX DIVISION) **APPROVED (7-0)**
- D. Request permission to enter into an agreement with Simplifile LC, vendor providing the lowest quote, for the service of electronic recording, for a period of three years with the option of renewal for (2) two successive one year terms, and further request permission to issue a purchase order to Simplifile LC in a total cumulative amount not to exceed \$300. (OFFICE OF THE CITY CLERK) **APPROVED (7-0)**
- E. Request permission to waive competitive bidding and increase purchase order # 2014-589, since it is advantageous to the City, issued to Maga Hardware Distributors Inc., for the purchase of hardware supplies and materials, by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$25,000. (CONSTRUCTION AND MAINTENANCE DEPT.) **APPROVED (7-0)**
- F. Request permission to issue a new purchase order for the current fiscal year to R.J. Behar & Company, Inc., since it is advantageous to the City in that changes to the scope of work has caused the contract amount to increase, for additional civil engineering services for the Cultural Park project, in a total cumulative amount not to exceed \$10,000. R.J. Behar & Company, Inc., was awarded the civil engineering services for the Cultural Park during the City Council meeting of April 23, 2013. (CONSTRUCTION AND MAINTENANCE DEPT.) **APPROVED (7-0)**
- G. Request permission to waive competitive bidding and increase purchase order # 2014-607, since it is advantageous to the City, issued to South Florida Appliance Inc., for the purchase of supplies and materials, by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$25,000. (CONSTRUCTION AND MAINTENANCE DEPT.) **APPROVED (7-0)**
- H. Request permission to waive competitive bidding and increase purchase order # 2014-1152, since it is advantageous to the City, issued to Anro Enterprises, Inc., d/b/a Diago Dry Cleaners, in order to pay for laundry services for the entire 2014 fiscal year, by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$30,000. (FIRE DEPT.) **APPROVED (7-0)**
- I. Request permission to increase purchase order # 2014-779, since it is advantageous to the City due to a sharp increase in pricing for medical supplies created by a nationwide shortage, issued to Bound Tree Medical, LLC, for the purchase of medical supplies, by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$60,000.

Further request permission to increase purchase order # 2014-782, since it is advantageous to the City due to a sharp increase in pricing for medical supplies created by a nationwide shortage, issued to Quadmed, Inc., for the purchase of medical supplies, by an additional amount of \$5,000, for a new total cumulative amount not to exceed \$40,000. Both vendors were awarded Hialeah Bid # 2012/13-200-12-047 - Medical Supplies during the City Council meeting of November 12, 2013. (FIRE DEPT.)

APPROVED (7-0)

- J.** Request permission to waive competitive bidding and increase purchase order # 2014-1149, since it is advantageous to the City, issued to Bernstein-Ryan, LLC d/b/a Image First Healthcare Laundry Specialists, for laundry/linen services to fire stations, by an additional amount of \$20,000, for a new total cumulative amount not to exceed \$35,000. (FIRE DEPT.) **APPROVED (7-0)**

- K.** Request permission to waive competitive bidding and increase purchase order # 2014-764, since it is advantageous to the City, issued to Totalcaring Health, Education & Staffing, Inc., for continuing firefighter education, by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$30,000. (FIRE DEPT.)

APPROVED (7-0)

- L.** Request permission to waive competitive bidding and increase purchase order #2014-133, since it is advantageous to the City, issued to Sullivan & Sullivan Inc, d/b/a Interstate Batteries of Southern Florida, for the purchase of batteries for City vehicles, by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$30,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**

- M.** Request permission to increase the amount of the contract issued to Aaron Construction Group, Inc., for the service of redoing four (4) dugouts at Goodlet Park, since it is advantageous to the City due to unforeseen circumstances which caused the contractor's scope of work to change, by an additional amount of \$8,400, for a new total cumulative amount not to exceed \$63,800. (DEPT. OF PARKS & RECREATION)

APPROVED (7-0)

- N.** Request permission to increase purchase order # 2014-1101, since it is advantageous to the City, issued to Cosgrove Enterprises, Inc., for the purchase of janitorial supplies during the remainder of fiscal year 2013-2014, by an additional amount of \$2,000, for a new total cumulative amount not to exceed \$14,000. This vendor was awarded Hialeah Bid # 2013/14-3130-00-006 - Janitorial Services during the City Council meeting of October 22, 2013. (DEPT. OF PARKS & RECREATION) **APPROVED (7-0)**

- O.** Request permission to increase purchase order #2014-1444, since it is advantageous to the City, issued to Miami Impressions Screen Printing, Corp., to purchase shirts for part-time employees for fiscal year 2013-2014, by an additional amount of \$500, for a new total cumulative amount not to exceed \$4,136. This vendor was awarded Hialeah Bid # 2013/14-3130-00-001 – Apparel during the City Council meeting of October 22, 2013. (DEPT. OF PARKS & RECREATION) **APPROVED (7-0)**

- P. Request permission to utilize the pricing of the Florida Sheriffs Association & Florida Association of Counties, ½ Ton Pickup Truck – 4X2, Specification #41, 2014 Ford F-150 (F1C) – Florida Sheriff's Association Bid #13-21-0904, and issue a purchase order to Don Reid Ford, Inc., to purchase seven (7) 2014 Ford F-150 pickup trucks, at a cost of \$14,990 each, for a total cumulative amount not to exceed \$104,930. (STREETS DEPT.) **APPROVED (7-0)**
- Q. Request permission to waive competitive bidding and increase purchase order # 2014-1780, since it is advantageous to the City, issued to Exclusive Nursery & Landscape, Inc., for median landscaping replacement, by an additional amount of \$19,500, for a new total cumulative amount not to exceed \$30,000. (STREETS DEPT.) **APPROVED (7-0)**
- R. Request permission to utilize the pricing of the Florida Sheriffs Association & Florida Association of Counties, 10 Cubic Yard Combination Sewer Cleaning/Vacuuming Machine, Specification #44 - Florida Sheriff's Association Bid #13-11-0904, and issue a purchase order to Pat's Pump & Blower, L.L.C., to purchase two (2) new 2014 Aquatech Sewer/Catch Basin Cleaners, at a base price of \$158,852, in a total cumulative amount not to exceed \$663,598. (STREETS DEPT.) **APPROVED (7-0)**
- S. Request permission to waive competitive bidding and increase purchase #2014-862, since it is advantageous to the City, issued to General Asphalt Co., Inc., for the purchase of EZ Street hot asphalt material for emergency roadway repairs in fiscal year 2013-2014, by an additional amount of \$15,100, for a new total cumulative amount not to exceed \$30,000. (STREETS DEPT.) **APPROVED (7-0)**
- T. Request permission to increase purchase order #2014-1603, since it is advantageous to the City, issued Mystic Gardens Lawn Contractors Inc., for the removal and replacement of damaged palms on Okeechobee Road, by an additional amount of \$3,540, for a new total cumulative amount not to exceed \$14,750. This vendor was awarded the renewal of Hialeah Bid #2011/12-3210-12-010 - Right of Way Maintenance of Sector 5, for an additional year effective for fiscal year 2014, during the Council meeting of November 12, 2013. (STREETS DEPT.) **APPROVED (7-0)**
- U. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Pro Striping USA Corp, for the service of striping East 6 Avenue from East 32 Street to East 37 Street, in a total cumulative amount not to exceed \$4,651.89. (STREETS DEPT.) **APPROVED (7-0)**
- V. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Pro Striping USA Corp, for the service of striping East 6 Avenue from East 9 Street to East 17 Street, in a total cumulative amount not to exceed \$6,130.95. (STREETS DEPT.) **APPROVED (7-0)**
- W. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Pro Striping USA Corp, for the service of striping East 6 Avenue from East 25 Street to East 33 Street, in a total cumulative amount not to exceed \$7,865.06. (STREETS DEPT.) **APPROVED (7-0)**

- X.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Pro Striping USA Corp, for the service of striping East 6 Avenue from East 17 Street to East 25 Street, in a total cumulative amount not to exceed \$9,547.22. (STREETS DEPT.) **APPROVED (7-0)**
- Y.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Pro Striping USA Corp, for the service of striping East 6 Avenue from East 37 Street to East 41 Street, in a total cumulative amount not to exceed \$3,533.93. (STREETS DEPT.) **APPROVED (7-0)**
- Z.** Request permission to issue a purchase order to Guaranteed Fence, Corp., vendor providing the lowest quotation, since it is advantageous to the City, for guardrail repairs, in a total cumulative amount not to exceed \$14,295. (STREETS DEPT.) **APPROVED (7-0)**
- AA.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor, currently servicing the City pursuant to Hialeah Bid #2011/12-3210-00-038, has agreed to extend the lowest unit pricing from this bid, and issue a purchase order to Acosta Tractors Inc, for the reconstruction of East 6th to 8th Avenue from Hialeah Drive to 5th Street, in a total cumulative amount not to exceed \$1,635,782. (STREETS DEPT.) **APPROVED (7-0)**
- BB.** Proposed resolution adopting the City of Hialeah Transit System Title VI Program Plan reaffirming the City's policy of non-discrimination in its public transportation system, and establishing a Complaint Procedure and a Public Participation Plan to ensure all riders equal distribution to, participation in and enjoyment of the benefits of the City of Hialeah's Public Transportation Services, a copy of which is attached as "Exhibit A". (TRANSIT) **APPROVED (7-0) RESOLUTION NO. 2014-72**
- CC.** Proposed resolution authorizing the Mayor, on behalf of the City of Hialeah, to negotiate a renewal upon favorable terms of the Farmer's Market Lease Agreement with the State of Florida Department of Transportation for the operation of a Farmer's Market and other compatible uses. (ADMINISTRATION) **APPROVED (7-0) RESOLUTION NO. 2014-73**
- DD.** Request permission to issue a purchase order to Williams Paving Co., Inc., since it is advantageous to the City in that this vendor has agreed to extend the lowest unit prices used on the bid awarded to Miami-Dade County for Project No. 20100394 (roadway widening along SW 184 Street from SW 137 Avenue to SW 147 Avenue), for roadway and drainage improvements on West 24th Avenue from 60th Street to 68th Street, in a total cumulative amount not to exceed \$1,471,602.45. (STREETS DEPT.) **APPROVED (7-0)**
- EE.** Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a Local Agency Program Agreement between the State of Florida, Department of Transportation, and the City of Hialeah, Florida, a copy of which in substantial form is attached hereto and made a part hereof as Exhibit "1", for the design of the sidewalk and guardrail enhancements along West 28th Avenue from West 52nd Street to West 80th Street in Hialeah, Florida, in an amount not to exceed \$39,656

and authorizing the expenditure of the contract sum subject to a funding and/or reimbursement schedule agreed to by the parties. (STREETS DEPT.)

APPROVED (7-0) RESOLUTION NO. 2014-74

- FF.** Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City of Hialeah, to execute a Lease-Purchase Agreement with JPMorgan Chase Bank, N.A., to finance the purchase of defibrillators and related equipment from Zoll Medical Corporation, as approved by Council at its meeting of May 27, 2014 (Item E.), a copy of the Master Lease-Purchase Agreement, Addendum and Ancillary Documents are attached hereto as "Exhibit 1"; and to execute any other contracts, agreements or documents necessary to give effect to the intent of the parties as set forth in the installment payment agreement. (FIRE DEPT.) **APPROVED (7-0) RESOLUTION NO. 2014-75**

- GG.** Proposed resolution strongly supporting Florida East Coast Industries' construction of a 235-mile passenger railroad train from Miami to Orlando. (COUNCILMAN HERNANDEZ) **APPROVED (7-0) RESOLUTION NO. 2014-76.**

REPORT: Council President Garcia-Martinez expressed concern regarding the funding of this item.

REPORT: Jose Gonzalez, Senior Vice President of Florida East Coast Industries, addressed the Council President's concerns. He advised that this project is one hundred percent privately funded.

REPORT: Council Vice President Gonzalez congratulated Florida East Coast Industries for the project.

- HH.** Proposed resolution authorizing the Mayor and/or his designee to receive a direct award and to execute any and all documents from the United States Department of Justice, Bureau of Justice Assistance, under the fiscal year 2014 Edward Byrne Memorial Justice Assistance Grant Program, for the total amount of \$66,331.00, for the procurement of Police Patrol Vehicles; and further authorizing the establishment of a separate Interest Bearing Trust Account designated for this program. (DEPT. OF GRANTS & HUMAN SERVICES) **APPROVED (7-0) RESOLUTION NO. 2014-77**

- II.** Proposed resolution approving the expenditure totaling an amount not to exceed sixty thousand dollars (\$60,000) from the Law Enforcement Trust Fund – *State*, for the rental of undercover vehicles, from Enterprise Leasing vendor #17908, upon such costs having been approved by the Chief of Police. (POLICE DEPT.) **APPROVED (7-0) RESOLUTION NO. 2014-78**

- 3.** Second reading and public hearing of proposed ordinance amending Chapter 74 entitled "Signs", Article I. in general, of the Code of Ordinances amending the definition of Window Signs and amending Article III. Regulations, Division 1. Generally, Code § 74-149 entitled "LED Signs" to provide regulations for LED Window Signs within the City; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause

and providing for an effective date. (ADMINISTRATION). **APPROVED (6-1-0) Council Vice President Gonzalez voted “NO”.**

Item was approved on first reading on May 27, 2014

REPORT: Mayor Hernandez explained the purpose of the proposed ordinance.

REPORT: Alexis Cardona, a student journalist attending Florida International University, 728 West 64 Drive, Hialeah, FL addressed the Mayor and Council regarding this item. Mayor Hernandez responded to her questions.

Motion to Approve Item 3 made by Councilwoman Casals-Muñoz, and seconded by Councilman Hernandez. MOTION PASSED (6-1-0) with Council Vice President Gonzalez voting “NO”. ORDINANCE NO. 2014-31

4. First reading of proposed ordinance authorizing the grant of an easement to Telemundo Network Group, LLC, to improve, operate and maintain an ingress-egress driveway connecting two parking lots, in an area having 270 square feet, more or less, and more particularly described in the Telemundo parking lot improvements plans prepared by SRS Engineering, Inc., Project Number SRS-1317, dated October 2013, attached hereto and made a part hereof as Exhibit “A”; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City of Hialeah, to execute an access Easement Agreement setting forth the term, purpose and other terms, a copy of which in substantial form is attached hereto as Exhibit “B”. (LAW DEPT.)

REPORT: Lorena Bravo, Acting City Attorney, explained the details of the proposed ordinance.

Motion to Approve Item 4 made by Councilwoman Casals-Muñoz, and seconded by Councilwoman Cue-Fuente. MOTION PASSED (7-0)

5. Board Appointments –

- a. Proposed resolution reappointing **Beatriz Sosa** to the Personnel Board of the City of Hialeah, as the AFSCME appointment, for a period of two (2)-years ending on June 26, 2016. (AFSCME) **DENIED (2-5-0) Councilman Hernandez, Councilman Caragol, Council President Garcia-Martinez, Councilwoman Cue-Fuente, and Councilwoman Lozano voted “NO”.**

Motion to Approve Item 5a. made by Council Vice President Gonzalez, and seconded by Councilwoman Casals-Muñoz. MOTION FAILED (2-5-0) with Councilman Hernandez, Councilman Caragol, Council President Garcia-Martinez, Councilwoman Cue-Fuente, and Councilwoman Lozano voting “NO”.

6. Unfinished Business-

REPORT: Lorena Bravo, Acting City Attorney discussed a proposed rule of procedure she drafted at the Council’s request reference the continuance of items and the re-advertising of those items.

REPORT: Javier Vazquez with law offices at 1450 Brickell Avenue, addressed the Mayor and Council on proposed rule of procedure drafted by Ms. Bravo.

REPORT: Council Vice President Gonzalez, Council President Garcia-Martinez, Councilwoman Casals-Muñoz, Mayor Hernandez and Councilman Hernandez expressed their thoughts on the proposed rule of procedure.

7. New Business-

REPORT: Mayor Hernandez advised that we will receive \$900,000 for the hot meals program, \$1 million to expand the Hialeah Educational Academy, and \$750,000 for City officials, police and fire personnel to have a place to run their respective cities out of in case of an emergency.

REPORT: Mike Anchia, Hialeah Fire Chief, advised that the City received a new Hazmat truck, funded by a homeland security grant, which will serve the region and the City.

8. Comments and Questions-

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.

Attention Applicants: Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

REPORT: All were duly sworn in by the Acting City Clerk.

ZONING

PZ 1. Second reading and public hearing of proposed ordinance granting a Variance Permit to allow a replat of two substandard lots, the first lot having a width of 48 feet, more or less, where a minimum average width of 75 feet is required, a total area of 6,507 square feet, more or less, where a total area of at least 7,500 square feet is required and a corner side setback of 12.5 feet, where 15 feet are required, and the second lot having a width of 40 feet, more or less, where a minimum average width of 75 feet is required, and a total area of 5,539 square feet, more or less, where a total area of at least 7,500 square feet is required, contra to Hialeah Code §§ 98-347(4), 98-499, and 98-501. **Property located at 385 West 42 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. *Applicant: Artilleros, LLC* **APPROVED (6-0-1) CUE-FUENTE ABSTAINED. ORDINANCE NO. 2014-32**

Item was placed on table on April 8, 2014 until the meeting of May 27, 2014 at the applicant's request. There was no action on this item on May 27, 2014, and the item remains on table.

Item was approved on first reading on February 25, 2014.

REPORT: Councilwoman Cue-Fuente abstained from voting on this item.

REPORT: For the record, the Acting City Clerk stated that Councilwoman Cue-Fuente filed a Form 8B Memorandum of Voting Conflict with the Office of the City Clerk.

Motion to remove Item PZ 1 from table made by Council Vice President Gonzalez, and seconded by Councilman Hernandez. MOTION PASSED (6-0-1) with Councilwoman Cue-Fuente having abstained.

REPORT: Michael Osman, 1474 West 84 Street, addressed the Council on this item, and submitted to the City Clerk for the Council's review, a subdivision plat map, an email message from Angela Hall, and an updated site plan.

Motion to Approve Item PZ 1 made by Council Vice President Gonzalez, and seconded by Councilman Hernandez. MOTION PASSED (6-0-1) Councilwoman Cue-Fuente ABSTAINED.

PZ 2. Second reading and public hearing of proposed ordinance rezoning property from R-1 (One Family Residential District) to R-2 (One and Two Family Residential District) and granting a Variance Permit to allow a duplex on a substandard-sized lot having a width of 50 feet, where a minimum average width of 75 feet is required, having a total area of 6,750 square feet, more or less, where at least 7,500 square feet is required, to allow one of the units with a total floor area of 428 square feet, where a minimum total floor area of 1,000 square feet is required, to allow a rear setback of 1.10 feet, where 25 feet are required, and a west side setback of 1.05 feet, where 7.5 feet are required, contra to Hialeah Code §§ 98-544, 98-546, 98-547(a) and 98-548. **Property located at 117 East 10 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. *Applicant: Marisol Rodriguez Basuto* **APPROVED (6-1-0) Council Vice President Gonzalez voted "NO". ORDINANCE NO. 2014-33**

Item was approved on first reading on May 27, 2014

REPORT: The applicant, Marisol Rodriguez Basuto, 14160 NW 77 Court, Suite 22, Miami Lakes, FL, addressed the Council.

Motion to Approve Item PZ 2 made by Councilwoman Casals-Muñoz, and seconded by Councilwoman Cue-Fuente. MOTION PASSED (6-1-0) with Council Vice President Gonzalez voting "NO".

PZ 3. Second reading and public hearing of proposed ordinance rezoning from GU (Interim District) to MH (Industrial District) and granting a Variance Permit to allow a Temporary Waiver of Plat, provided that the property will be replatted within 18 months from the grant of the waiver. **Property located on vacant land lying north of Northwest 138 Street (West 84 Street) between Northwest 105 Avenue and Northwest 107 Avenue, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. *Applicant: Javier Vazquez, Esq. – Registered Lobbyist: Javier L. Vazquez* **APPROVED (7-0) ORDINANCE NO. 2014-34**

Item was approved on first reading on May 27, 2014

Registered Lobbyists:

- *Javier L. Vazquez, Esq.*

Motion to Approve Item PZ 3 made by Council Vice President Gonzalez, and seconded by Councilwoman Cue-Fuente. MOTION PASSED (7-0).

PZ 4. Second reading and public hearing of proposed ordinance granting a Conditional Use Permit (CUP) to allow a motel with 43 rooms and allow a hotel with 34 rooms, pursuant to Hialeah Code §98-181(2)g., rezoning lots 33 and 34 from R-3 (Multiple Family District) to P (Parking District) to be used for overflow parking, granting a Variance Permit to allow a front setback from Okeechobee Road of 18.5 feet, where a minimum of 25 feet are required, and eliminating a west side street setback on Southeast 7 Avenue, where a minimum of 15 feet are required, contra to Hialeah Code §98-1834(a)(1) and §98-1834(a)(3), on property zoned C-2 (Liberal Retail Commercial District). **Property located at 699 East Okeechobee Road, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. *Applicant: Ceasar Mestre, Esq.* **ITEM CONTINUED UNTIL JUNE 24, 2014.**

Item was approved on first reading on May 27, 2014

Registered Lobbyists:

- *Ceasar Mestre, Esq.*

Motion to table Item PZ 4 until June 24, 2014 made by Council Vice President Gonzalez, and seconded by Councilwoman Casals-Muñoz. MOTION PASSED (7-0).

PZ 5. Second reading and public hearing of proposed ordinance vacating a portion of West 64 Street (Caroline Street), 110 feet wide, more or less, for a length of 246 feet, more or less, dedicated to the public for use as right-of-way pursuant to Richland Tracts Plat, as recorded in plat book 20, at page 12 and pursuant to right-of-way deed dated November 20, 1974, recorded in the public records of Miami-Dade County, Florida in official records book 8967, at pages 1128 through and including 1131. Property located west of West 21 Court, Hialeah, Florida, and more particularly described in the surveyor's legal description and location sketch attached hereto and made a part hereof as Exhibit "A". *Applicant: Leon Medical Center* **APPROVED (7-0) ORDINANCE NO. 2014-35.**

Item was approved on first reading on May 27, 2014

Registered Lobbyists:

- *Alejandro Arias*
- *Jeffrey Bercow*
- *Melissa Tapanes-Llahues*

REPORT: The applicant's representative submitted the following documentation to the Acting City Clerk for the Council's review: Right-of-Way Survey Sketch, Property Aerial, photographs of the Application Site and Leon Healthy Living Center.

Motion to Approve Item PZ 5 made by Councilwoman Casals-Muñoz, and seconded by Councilman Hernandez. MOTION PASSED (7-0).

PZ 6. First reading of proposed ordinance granting a Variance Permit to allow a lot coverage of 33.6%, where a maximum of 30% is allowed, to allow a west side setback of 8 feet, where a minimum of 10 feet are required, and to allow no landscape buffer, where a 7-foot buffer is required between the parking area and the right-of-way, contra to Hialeah Code §§ 98-590, 98-2056(b)(2) and 98-2197(a). **Property located at 450 East 24 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. *Applicant: Michael Osman* **APPROVED (7-0) Second reading is set for June 24, 2014.**

Registered Lobbyists:

- *L. Michael Osman*

REPORT: The applicant's representative, Michael Osman, 1474 West 84 Street, and Manny Reus, 3731 SW 160 Avenue, Suite 201, Miramar, FL, addressed the Council on this item.

Motion to Approve Item PZ 6 made by Council Vice President Gonzalez, and seconded by Councilwoman Casals-Muñoz. MOTION PASSED (7-0).

PZ 7. First reading of proposed ordinance rezoning 151.85 acres of land from GU (Interim District) to Residential Development District, having a minimum of 25% developed as RH-1 (One Family District), a minimum of 20% and a maximum of 30% developed as R-4 (Townhouse), a maximum of 20% developed as RH-3M (Multiple Family District), 8 to 14 units per net acre), and a maximum of 10% developed as RH-3-MM (Multiple Family District), 15 to 24 units per net acre); substituting the requirements of the Residential Development District by approving the site plan dated May 13, 2014 and Pattern Book, as amended, prepared by Pascual Perez Kiliddjian & Associates, Architects and Planners, and by approving the Landscape Plan dated March 24, 2014, as amended, prepared by Michael J. Petrow and Associates, Inc.; granting a Variance to allow a Temporary Waiver of Plat, provided that the property is replatted within 18 months from the grant of the waiver; reaffirming the obligation to pay the city the sum of \$994,614 to be used for roadway improvements; and repealing and rescinding Hialeah, Fla., Ordinance 06-52 (September 12, 2006); **Property located on a vacant parcel of land south of Northwest 154 Street, north of Northwest 146 Street, east of NW 97 Avenue and west of the I-75 Expressway, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. *Applicant: Hialeah Communities, LLC.* **APPROVED (7-0) Second reading is set for June 24, 2014.**

Registered Lobbyists:

- *Hugo Arza, Esq. and Michael Freire*
- *Gloria Velazquez*
- *Kelly Hults*
- *Mario P. Pascual*

- *James Wright*
- *Jeff Roberts*
- *Ryan Palonra*
- *Peter Kiliddjian*
- *Andrew Staw*

Motion to Approve Item PZ 7 made by Councilwoman Cue-Fuente, and seconded by Councilwoman Lozano. MOTION PASSED (7-0).

FINAL DECISIONS

FD 1. Proposed resolution upholding the final decision of the Planning and Zoning Board, Decision No. 14-08 that granted an adjustment on condition that the terrace remain an open terrace and that all improvements built without the benefit of a building permit be legalized within 180 days on property located at **3293 West 77 Place, Hialeah, Florida**; and providing for an effective date. *Applicants: Gonzalo Gonzalez & Lisandra Gonzalez* **APPROVED (7-0) RESOLUTION NO. 2014-79**

There was no action on this item on May 27, 2014, and the item remains on table.

Motion to remove Item FD 1 from table made by Councilwoman Casals-Muñoz, and seconded by Councilman Hernandez. MOTION PASSED (6-0-1) with Council President Garcia-Martinez having not been present during the vote.

Motion to Approve Item FD 1 made by Councilman Hernandez, and seconded by Councilman Caragol. MOTION PASSED (7-0).

FD 2. Proposed resolution approving the final decision of the Planning and Zoning Board, Decision No. 14-09 that granted an adjustment to accommodate a terrace open on all three sides on property located at **825 East 45 Street, Hialeah, Florida**; and providing for an effective date. *Applicants: Juvenal A. Pelegrin & Mireya Arevalo* **APPROVED (7-0) RESOLUTION NO. 2014-80**

Motion to Approve Item FD 2 made by Council Vice President Gonzalez, and seconded by Councilwoman Lozano. MOTION PASSED (7-0).

LAND USE AMENDMENTS

LU 1. First reading of proposed ordinance amending the Future Land Use Map from Low Density Residential to Medium Density Residential; **Property located at 130 West 20 Street, Hialeah, Florida**, zoned R-1 (One-Family District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. *Applicant: Blanco Family Holdings V LLC* **ITEM CONTINUED UNTIL JUNE 24, 2014.**

Motion to table Item LU 1 until June 24, 2014 made by Councilwoman Casals-Muñoz, and seconded by Councilwoman Cue-Fuente. MOTION PASSED (7-0).

NEXT CITY COUNCIL MEETING: June 24, 2014 at 7:00 P.M.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: August 26, 2014 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).